



Ethiopia

Country Reports on Human Rights Practices - [2003](#)

Released by the Bureau of Democracy, Human Rights, and Labor
February 25, 2004

Ethiopia continued its transition from a unitary to a federal system of government, under the leadership of Prime Minister Meles Zenawi. According to international and local observers, the 2000 national elections generally were free and fair in most areas; however, serious election irregularities occurred in the Southern Region, particularly in Hadiya zone. The Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) and affiliated parties won 519 of 548 seats in the federal parliament. EPRDF and affiliated parties also held all regional councils by large majorities. The regional council remained dissolved at year's end, and no dates had been set for new elections. Highly centralized authority, poverty, civil conflict, and limited familiarity with democratic concepts combined to complicate the implementation of federalism. The Government's ability to protect constitutional rights at the local level was limited and uneven. Although political parties predominantly were ethnically based, opposition parties were engaged in a gradual process of consolidation. Local administrative, police, and judicial systems remained weak throughout the country. The judiciary was weak and overburdened but continued to show signs of independence; progress was made in reducing the backlog of cases.

The security forces consisted of the military and the police, both of which were responsible for internal security. The Federal Police Commission and the Federal Prisons Administration were subordinate to the Ministry of Federal Affairs. The military, which was responsible for external security, consisted of both air and ground forces and reported to the Ministry of National Defense. Military forces continued to conduct a number of low-level operations against the Oromo Liberation Front (OLF), the Somalia-based Al-Itihad Al-Islami organization (AIAI), and elements of the Ogaden National Liberation Front (ONLF) both in the country and in southern Somalia and northern Kenya. While civilian authorities generally maintained effective control of the security forces, there were some instances in which elements of the security forces acted independently of government authority. Members of the security forces committed human rights abuses.

The economy was based on smallholder agriculture, with more than 85 percent of the estimated population of 71 million living in rural areas under very basic conditions and engaged in subsistence farming. Agriculture accounted for approximately 45 percent of gross domestic product (GDP). In urban centers, the majority of economic activity was in the informal sector. Severe drought, massive crop failures, and extensive livestock losses adversely affected approximately 14 million persons during the year, and caused GDP growth to slow. Trade regulations favored EPRDF-owned businesses. Inflation decreased to 3 percent during the year. Military spending continued to decrease during the year. The Government continued to implement an economic reform program designed to stabilize the country's financial position, promote private sector participation in the economy, and attract foreign investment; however, significant impediments to investment remained, corruption was widespread, and there were approximately 200 government-owned enterprises that had not been privatized by year's end.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Security forces committed a number of unlawful killings and at times beat, tortured, and mistreated detainees. Prison conditions remained poor. The Government continued to arrest and detain persons arbitrarily, particularly those suspected of sympathizing with or being members of the OLF. Thousands of suspects remained in detention without charge, and lengthy pretrial detention continued to be a problem. The Government sometimes infringed on citizens' privacy rights, and the law regarding search warrants was often ignored. The Government restricted freedom of the press and continued to detain or imprison members of the press. Journalists continued to practice self-censorship. The Government at times restricted freedom of assembly, particularly of opposition party members; security forces at times used excessive force to disperse demonstrations. The Government limited freedom of association, but the nongovernmental organization (NGO) registration process continued to improve. On occasion, local authorities infringed on freedom of religion. The Government restricted freedom of movement. Numerous internally displaced persons (IDPs) from internal ethnic conflicts remained in the country. During the year, neither the Human Rights Commission (HRC) nor the Office of the Ombudsman was

operational. Violence and societal discrimination against women and abuse of children remained problems. Female genital mutilation (FGM) was widespread. The exploitation of children for economic and sexual purposes remained a problem. Societal discrimination against persons with disabilities and discrimination against religious and ethnic minorities continued. Forced labor, including forced child labor, and child labor, particularly in the informal sector, continued to be a problem. Trafficking in persons remained a serious problem.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

The security forces committed many unlawful killings, including some alleged political killings, during the year. There were numerous reports of unlawful killings during the year.

At least one person died as a result of torture while in the custody of security forces. On April 26, police arrested 40-year-old Abera Hey at his home in Addis Ababa. Two days later, police informed his family that he had hanged himself while in custody; however, Ethiopian Human Rights Council (EHRCO) investigators examined the body and observed a broken chin, missing teeth, injured left ribs, blood on the nose and mouth, and swollen testicles. An internal investigation by the Addis Ababa police was pending at year's end.

There continued to be numerous unconfirmed reports of unlawful killings by security forces, particularly from Oromiya and the Somali regions.

In Addis Ababa, on August 14, a member of the Special Police Force under the Federal Police shot two men as they were walking down the street, killing one and seriously injuring the other. The police officer responsible for the killing was in police custody, and the incident was under internal investigation at year's end.

On December 3, a man wearing a military uniform opened fire with an automatic weapon in a bar in Addis Ababa, killing five persons. The suspect, whose motive for the killing was not known, remained in police custody at year's end.

In December, there were credible reports that military forces participated in the killing of Anuak civilians in the Gambella region. Precise information about the role of the military in that violence was not available at year's end (see Section 5).

Unlike in the previous year, there were no reports that police use of excessive force while dispersing demonstrations resulted in deaths.

The Government arrested the soldier responsible for the July 2002 killing of a 13-year-old boy who was returning home from a wedding party.

Upon completion of its investigation into the police's response to the 2001 riots at Addis Ababa University (AAU), which left 38 persons dead and many others injured, the Government concluded that some security forces responded to the demonstration with excessive force. The Government claimed the victims were looters, not AAU students, and claimed that five or six policemen were punished for using excessive force. The Government also disputed the alleged 2001 police killing of an Oromo student at Mekelle University who had protested the violence at the AAU demonstrations. The results of a police investigation indicated death by drowning, but fellow students and Oromo advocacy groups disputed that finding.

The Government reported it had dismissed 58 policemen during the year for their involvement in the following incidents of pre- and post-2001 election violence: The security forces killing of two opposition supporters during a meeting organized by the Council of Alternative Forces for Peace and Democracy in Ethiopia; the security forces killing of four Southern Ethiopian People's Democratic Coalition (SEPDC) members in Shone village in Badoacho Woreda; and the security forces killing of at least 11 supporters of the SEPDC.

There were no further developments in the following reported 2002 cases: The July killing of a driver in Addis Ababa by soldiers; the November killing of one person and injuring of eight others at a security checkpoint near Hartishek in Somali region; and the December security forces' killing of two persons in Amorate, Southern Region.

During the year, the Government took no disciplinary action against members of the security forces responsible for the 2001 killing of five persons during riots between Christians and Muslims in Harar.

It remained unclear at year's end whether the Government investigated the death of the chairman of the Kure Beret Farmers Association, who was reportedly killed in 2002 while being held in prison for questioning related to the killing of 31 Afar women in October 2002 (see Section 5).

The armed elements of the OLF and ONLF continued to operate within the country and clashed with government forces on several occasions, resulting in the death of an unknown number of civilians. From October 12 to 14, fighting between the OLF and government forces in Gombisa and Dukale, in Hidilola, resulted in an undisclosed number of casualties.

There was no additional information available on the November 2002 incident in which government soldiers rounded up and killed farmers accused of supporting the Ethiopian Patriotic Front, an armed Amhara dissident group. There was no additional information at year's end on the military's October 2002 killing of 25 persons and injuring of 37 in fighting with elements of the ONLF, near the town of Luga on the Somalia border. At year's end, there were approximately 2 million landmines in the country, most dating from 1998 to 2000 war with Eritrea. U.N. Peacekeeping Mission in Eritrea and Ethiopia (UNMEE) officials reported that new landmines were planted on both sides of the Ethiopian-Eritrean border during the year. UNMEE reported a total of 19 deaths caused by unexploded landmines and ordnances during the year. For example, on August 13, six persons were killed and three injured when their tractor hit a freshly planted landmine south of Humera, near the border with Eritrea. On September 13, two children were killed while playing with an unexploded rocket-propelled grenade near Tserona within the Temporary Security Zone along the Ethiopian-Eritrean border.

The government demining unit continued to make limited progress in its survey and demining of border areas.

On July 12, a bomb exploded at the Segen Hotel in Addis Ababa, injuring 31 persons. An investigation into the incident was pending at year's end.

On September 26, a bomb planted aboard a passenger train exploded near the town of Adiquala, killing two persons and injuring nine. No group claimed responsibility for the bomb, although authorities believed the OLF was responsible.

Early in the year, the nine defendants charged with the September 2002 bombing of the Tigray Hotel in Addis Ababa pled not guilty. At year's end, five remained in custody, and the other four had been released without charges.

There was no new information available on the August 2002 bombing at the Edom Hotel in Jijiga, which killed one person and injured six others.

The Government reported three persons were arrested and were awaiting trial for the July 2002 killing of the head of the education bureau of the Southern Region and two other men; it is unknown if they were still being held incommunicado in a military camp in Awassa (see Section 2.b.).

It is unknown whether any arrests have been made in connection with the February 2002 bandits' killing of a South African tourist outside Gondar.

Ethnic clashes resulted in hundreds of deaths during the year (see Section 5).

The Federal High Court in Addis Ababa continued to arraign and prosecute those formally charged with genocide and other war crimes, including extrajudicial killings, under the previous Dergue regime (see Section 1.e.).

b. Disappearance

There were some reported cases of disappearances perpetrated by government forces during the year, some of which may have been politically motivated. In nearly all cases, security forces abducted persons without warrants and detained them in undisclosed locations for varying lengths of time ranging from weeks to months. For example, in December, Ahmad Haji Wase, an information officer for the Afar Regional Government, was reportedly detained in an undisclosed location for a report he wrote about fighting between Afar rebels and government troops. Ahmad's report alleged that food aid sent for displaced persons in the town of Bure had been diverted to the army. Ahmad's whereabouts were unknown at year's end.

The Government reported that Mesfin Itana, Yilma Mosisa, and Gdissa Mosisa, who were believed to have disappeared after being detained in connection with the September 2002 bombing of the Tigray Hotel in Addis Ababa (see Section 1.a.), were in government custody and awaiting trial. Several young Oromo businessmen remained missing at year's end.

The whereabouts of Oromo singer Raya Abamecha remained unknown at year's end. The Government stated it had no information about his case and had not opened an investigation.

On March 21, EHRCO issued a report documenting the disappearances of 39 individuals over the past 10 years, allegedly by security forces. Although there are many more reports of disappearances, EHRCO included in the report only those with the most detailed evidence. Among those persons missing were Seble Wengel, who disappeared in May 2002; Hailu Desta, a 28-year-old resident of Debre Markos and one-time independent candidate for the federal Parliament, who disappeared in December 2001; and Siraj Mohammed, who was abducted in October 2001. All but 1 of the 39 persons reported to have disappeared are men, and 35 of the disappearances took place in Addis Ababa. In 21 of the cases, the report provided eyewitness accounts of the abductions by armed security forces.

Unlike in the previous year, there were no reports that government forces abducted persons during incursions into Somalia.

The 32 Nuer IDPs abducted from a bus headed to Fugnido refugee camp by Anuak fighters in July 2002 were found to have been killed. At year's end, it was unknown whether the Government had investigated the case or whether any arrests had been made.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits the use of torture and mistreatment; however, there were several credible reports during the year that security officials often beat or mistreated detainees. Opposition political parties reported frequent and systematic abuse of their supporters by police and government militias.

At least one person died as a result of torture while in the custody of government security forces (see Section 1.a.).

Government militia committed numerous abuses against Ethiopia Unity Party (AEUP) supporters during the year, many of which EHRCO investigated and corroborated. For example, in January, local militia leaders and police detained Nake Abebe, a member of Didite Kebele Farmers' Association, Lumame Woreda, Amhara region, for his involvement in an AEUP meeting. While in detention for 8 days, Nake was beaten and tortured on his legs and chest with drops of melted plastic.

On February 20, the head of the woreda militia coordination and four militiamen beat Ayele Liyew, the AEUP chairman in Sebshango Kebele, Dejen Woreda, and his brother, Habtamu Liyew, who was also an AEUP member.

Many persons were beaten following their attendance of AEUP meetings. For example, on October 2, local officials of Mertolemaria Woreda, Amhara Region, led by Lakachew Adamu, the woreda administrator, and accompanied by kebele militia, ordered the national flag removed from the pole in front of the AEUP office. They then severely beat four AEUP officials--Retta Bayih, Awoke Tegegn, Derejaw Ayehou, and Alellign Ayalew--for their participation in a September 23 AEUP public meeting. The AEUP office was closed and had not been allowed to reopen at year's end.

On October 12, in Bichena town, Amhara Region, government militia accosted AEUP leaders Kassa Zewdu and Sinishaw Tegegn following a large AEUP public meeting, beat them, and threw them in Bichena jail. No charges have been brought against the two.

Security forces beat persons for personal reasons as well. For example, in March, members of the Federal Police pulled a teacher at Misrak Goh elementary school in Addis Ababa out of his classroom in broad daylight and severely beat the teacher after he refused to change the grade of a student related to one of the policemen. The teacher was taken to the central police station for questioning and later released.

Security forces beat and tortured members of religious groups during peaceful assemblies (see Section 2.c.).

Security forces beat journalists during the year (see Section 2.a.).

Unlike in the previous year, there were no reports that government security forces tortured refugees or that the Government's refugee agency beat refugees. By year's end, it was unclear whether the Government's refugee agency had conducted investigations into such abuses from previous years (see Section 2.d.).

There was no known action taken against the security forces responsible for injuring dozens during the August 2002 beating of numerous runners, or the severe beating of Oromo student activist Gelan Nedhi Chewaka in December 2002. Although released from the hospital, Chewaka's condition remained serious at year's end.

No action was taken, nor was any likely to be taken, against members of the security forces responsible for torturing, beating, or abusing persons in the reported 2001 cases.

The Government reportedly suspended 58 police officers for their involvement in the 2001 pre- and post-election violence, although it could not specify who was involved in particular crimes (see Section 1.a.).

There were reports during the year that security forces raped or sexually abused persons during arrests, detentions, or other government operations.

No known action was taken against the security forces responsible for the 2001 rape of two girls in Hosana or the 2001 rape of a woman from Soro who was in temporary detention.

There were reports of injuries and at least 19 deaths caused by unexploded landmines and ordnances (see Section 1.a.).

During the year, ethnic clashes resulted in numerous injuries (see Section 5). On December 15, according to credible reports, soldiers raped two Anuak women at gunpoint in the town of Echeway, Gambella Region, during the outbreak of violence against Anuaks (see Section 5).

Prison conditions were very poor and overcrowding remained a serious problem. Prisoners often were allocated fewer than 21.5 square feet of sleeping space in a room that could contain up to 200 persons. The daily meal budget was approximately 25 cents per prisoner per day, and many prisoners had family members deliver food every day or used their own funds to purchase food from local vendors. Prison conditions were unsanitary, and access to medical care was not reliable. There was no budget for prison facility maintenance. Prisoners typically were permitted daily access to prison yards, which often included working farms, mechanical shops, and rudimentary libraries. Prison letters must be written in Amharic, which made outside contact difficult for non-Amharic speakers; however, this restriction generally was not enforced.

During the year, the ICRC conducted training programs for prison officials on proper treatment of prisoners. The training was for prison directors, and heads of security, health, and administration in the Amhara and Southern regions and it covered issues such as respect for human dignity, treatment of women and children, and medical treatment of sick detainees.

Visitors generally were permitted; however, they were sometimes denied access to detainees.

Female prisoners were held separately from men; however, juveniles sometimes were incarcerated with adults. There was only 1 juvenile remand home with a capacity of 150 for children under age 15, and the juveniles who could not be accommodated at the juvenile remand home were incarcerated with adults. Pretrial detainees were usually detained separately from convicted prisoners at local police stations or in the limited Central Investigation Division (CID) detention facility in Addis Ababa until they were charged. The law requires that prisoners be transferred to federal prisons upon conviction; however, this requirement sometimes was not enforced in practice.

There were some deaths in prison during the year due to illness and disease; however, no statistics on the number of deaths in prison were available at year's end.

The Government permitted independent monitoring of prisons and police stations by the ICRC. Unlike in the previous year, diplomatic missions were also granted access upon providing advance notification to prison officials. The ICRC generally had access to federal and regional prisons, civilian detention facilities, and police stations throughout the country during the year. During the year, the ICRC carried out more than 160 visits to 128 detention centers throughout the country and was permitted to visit regularly all of the 29 police stations in Addis Ababa during the year. The ICRC was allowed to meet regularly with prisoners without third parties being present. The ICRC received government permission to visit military detention facilities where suspected OLF fighters were detained. The ICRC also continued to visit civilian Eritrean nationals and Ethiopians of Eritrean origin detained on

national security grounds.

Government authorities continued to permit diplomats to visit prominent detainees held by the Special Prosecutors Office (SPO) for alleged involvement in war crimes and terrorist activities.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention; however, the Government frequently did not observe these provisions in practice.

The Federal Police Commission was subordinate to the Ministry of Federal Affairs. Corruption and impunity were sometimes a problem. Government militias operated as local security forces independent of the police and the military.

In October, an employee of the Federal Police and an employee of the Federal Anti-Corruption Commission were implicated in an alleged kidnapping of a businessman in Addis Ababa. The suspects demanded \$5,800 (50,000 birr) from the abductee. Both men were in police custody at year's end.

Under the Criminal Procedure Code, any person detained must be informed of the charges within 48 hours and, in most cases, be offered release on bail. Bail was not available for some offenses, such as murder, treason, and corruption. In most cases, bail was set between \$116 (1,000 birr) and \$1,160 (10,000 birr), which was beyond the reach of most citizens. Suspects of serious offenses could be detained for 14 days while police conduct an investigation, if a panel of judges ordered it, and for additional 14-day periods while the investigation continues. In practice and particularly in the outlying regions, authorities regularly detained persons without warrants, did not charge them within 48 hours, and, if persons were released on bail, never recalled them to court. The law also prohibits detention in anything less than an official detention center; however, there were no such centers at the kebele level. The Government provided public defenders for detainees who were unable to afford private legal counsel, but only when their cases came before the court. While in detention, such detainees were allowed little or no contact with their legal counsel.

There were many reports from opposition party members that in small towns, persons were detained in police stations for long periods without access to a judge and that sometimes these persons' whereabouts were unknown for several months. Opposition parties registered many complaints during the year that government militias beat and detained their supporters without charge for participating in opposition political rallies (see Section 1.c.).

For example, in May, the Government arrested three members of the Movement for Democratic Change, an Eritrean opposition group, for a press statement issued by the group that called upon the Government to comply with the findings of the Ethiopia-Eritrea Boundary Commission and withdraw from the village of Badme. The three Eritreans--Yohannes Almaz, Jemal Abdul Awel, and Hadish--were arrested in Addis Ababa. No further information about their cases was available at year's end.

In July, ruling party supporters, backed by local militias, closed the Konso People's Democratic Union (KPDU) branch office in Konso and imprisoned KPDU leaders Tesfaye Korra and Adane Fulayta for 1 week. Ruling party supporters looted the office and damaged the roof. Tesfaye and Adane were later released on bail.

On September 30, six policemen removed the national flag from the office of the United Ethiopia Democratic Party (UEDP) in Masha Woreda, Sheka Zone, Southern Region, and detained UEDP representative Berhanu Hailu in Masha police prison for 3 weeks. He was released after posting \$580 (5,000 birr).

On October 12, government militias acting on the authority of local officials arrested Shako Otto Kora, Chairman of the KPDU, in Konso, Southern Region, and detained him for 6 days. Local ruling party officials accused him of "disturbing development activities" for visiting one of his party's branch offices that had been closed. He posted bond of \$151 (1,300 birr). On October 17, he was transferred to Arba Minch and brought before the High Court to face charges dating back to the election period in 2000, including slandering a local official and poking an official of the ruling party in the eye. He was jailed for 4 days before posting bail of \$116 (1,000 birr).

The Government continued its harassment of teachers during the year, particularly in Oromiya and Tigray. The independent Teachers Association (ETA) reported that numerous teachers were detained and accused of being OLF sympathizers, many of whom still were in prison at year's end. Some of the teachers have been in detention for several years without charges. Such cases were remanded at least 10 to 15 times, for 2 weeks each time, and the courts allowed police to conduct investigations that continued for months. In addition, judges were shifted

among cases, failed to show up for hearings, or new judges were not reassigned in time for hearing dates upon the death or incapacity of assigned judges. While lack of capacity within the judicial system contributed to this problem, several of the prolonged detentions were politically motivated. Detention conditions remained poor.

Police detained journalists during the year (see Section 2.a.).

Police detained persons for holding meetings and demonstrations during the year (see Section 2.b.).

Opposition groups alleged that some of the persons detained by the SPO were held for political reasons, an allegation that the Government denied (see Section 1.e.).

In response to attacks by armed opposition groups operating out of Somalia and Kenya (see Section 1.a.), the military continued to conduct operations around border areas. The vast majority of military interventions took place in the Gambella, Somali, and Oromiya regions. In February, during an interview with the British Broadcasting Company, Prime Minister Meles acknowledged that government soldiers continued to make incursions into Somalia during the year. Most detainees were accused of participating in armed actions by the OLF or the ONLF. In typical cases, security forces arrested and held these persons incommunicado for several days or weeks before eventually releasing them. Among those still in custody at year's end is Dinkinesh Deressa Kitila, an employee of Total/Elf oil company, who was arrested in June 2002 on suspicion of being an OLF supporter.

There was no further information at year's end on the 600 criminal detainees in the Oromiya region who were not charged, pending ongoing investigations.

Parliamentary immunity protected members of the House from arrest or prosecution except in the act of committing a crime ("flagrante delicto"). The court tried a parliamentarian in absentia for the murder of a policeman after he went into hiding. He was found not guilty and cleared of all charges.

In the months immediately before the 2001 regional elections, authorities harassed and detained supporters of parties belonging to the SEPDC opposition coalition. Of the 49 SEPDC supporters detained in Hosana and Durame in 2001 who remained in detention for the killing of a policeman and property destruction in Kembatta Tembaro Zone, Oromiya Region, 21 were released for lack of sufficient evidence after spending 3 years in detention. Twenty-eight others remained in detention in Durame prison. In December, the Zonal High Court in Durame found 9 of those 28 persons guilty of the policeman's murder and sentenced them to life in prison. The status of the other 19 persons detained was unknown at year's end.

Former AAU president Alemeyehu Tefera, imprisoned since 1993 on charges of ordering the murder of two boys as a Dergue government official, was released during the year.

The cases against Berhanu Nega and Mesfin Woldemariam, two prominent academics and human rights activists charged with inciting AAU students to riot in 2001, were pending at year's end.

The following detainees remained in custody at year's end: Alazar Dessie, an American citizen working as a consultant to the Commercial Bank of Ethiopia, who was arrested and charged with abuse of power (a nonbailable offense) and has been awaiting trial for more than 2½ years; 24 businessmen and government officials, who were arrested in 2001 under allegations of corruption but never were charged formally; the official driver of the Eritrean Embassy, who was arrested in 2001 and whose whereabouts remained unknown.

The Government detained several persons without charge at the Gondar Prison, some for years, while the police investigated their cases. Muche Berihun, who was charged with murder although the person whom he allegedly murdered was killed after he was detained, was held in solitary confinement for 3½ years. His hearing began in June 2002; however, the court adjourned and the status of the hearing was unknown at year's end. He remained in detention at year's end. Wondante Mesfin has been in detention in Nefas Mewcha Prison in South Gondar Zone since 1994 and has never appeared in court nor been charged formally.

Thousands of criminal suspects remained in detention without charge; many of the detainees were accused of involvement in OLF activities or were arrested after the 2001 student demonstrations.

Exile is prohibited and there were no reports of forced exile during the year. A number of persons remained abroad in self-imposed exile, including 44 journalists (see Section 2.a.).

At year's end, it was unclear how many of the 247 Ethiopian students who fled to Kenya following the 2001 riots at

AAU, and were granted refugee status, remained at the Kakuma refugee camp in northwest Kenya. The UNHCR reported that despite fears of detention, many students voluntarily returned to the country during the year. There was no new information during the year about students who reportedly fled to Djibouti after the 2001 riots.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary remained weak and overburdened. Although the federal and regional courts continued to show signs of judicial independence, in practice severe shortages of adequately trained personnel in many regions, as well as serious financial constraints, combined to deny citizens the full protections provided by the Constitution.

The Government continued to decentralize and restructure the judiciary along federal lines with the establishment of courts at the district (woreda), zonal, and regional levels. The federal High Court and federal Supreme Court heard and adjudicated original and appeal cases involving federal law, transregional issues, and national security. The regional judiciary increasingly was autonomous, with district, zonal, high, and supreme courts mirroring the structure of the federal judiciary. There were two three-judge benches at the High Court level to handle criminal cases. The SPO delegated some of the war crimes trials to the supreme courts in the regions where the crimes allegedly were committed, which increased the efficiency of the process.

Regional offices of the federal Ministry of Justice monitored local judicial developments, and the regional courts had jurisdiction over both local and federal matters, but the federal judicial presence in the regions was limited. Anecdotal evidence suggested that some local officials believed they were not accountable to a higher authority. Pending the passage by regional legislatures of laws particular to their region, all judges are guided by the federal procedural and substantive codes.

To remedy the severe lack of experienced staff in the judicial system, the Government continued to identify and train lower court judges and prosecutors, although officials acknowledged that the pay scale offered did not attract the required numbers of competent professionals.

According to the Constitution, accused persons have the right to a public trial by an ordinary court of law within a "reasonable time" after having been charged. Accused persons have the right to be represented by legal counsel of their choice. However, in practice, lengthy pretrial detention was common, closed proceedings occurred, and at times, detainees were allowed little or no contact with their legal counsel (see Section 1.d.). Although the Constitution provides for a presumption of innocence, defendants did not enjoy this protection in practice. The public defender's office provides legal counsel to indigent defendants, although its scope remained severely limited, particularly with respect to SPO trials. Access to prosecutorial evidence before a trial was routinely denied to the defense, even though there is no law forbidding this and the law explicitly stipulates that persons charged with corruption are to be shown the body of evidence against them prior to their trials.

The Constitution provides legal standing to some pre-existing religious and customary courts and gives federal and regional legislatures the authority to recognize other courts. By law, all parties to a dispute must agree before a customary or religious court may hear a case. Shari'a (Islamic) courts may hear religious and family cases involving Muslims. In addition, other traditional systems of justice, like councils of elders, continued to function. Although not sanctioned by law, these traditional courts resolved disputes for the majority of citizens who lived in rural areas and who generally had little access to formal judicial systems.

Three federal judges sat on one bench to hear all cases of juvenile offenses. There was a large backlog of juvenile cases and accused children often remained in detention with adults until their cases were heard.

The outbreak of hostilities with Eritrea in 1998 adversely impacted the military justice system. Most foreign assistance to train officers and noncommissioned officers was suspended at the same time that the rapid expansion of the military greatly increased the need for trained military lawyers and judges. This training need remained unmet by year's end.

The SPO was established in 1992 to create an historical record of the abuses committed during the Mengistu Government (1975-91)--also known as the Dergue regime--and to bring to justice those criminally responsible for human rights violations. The SPO had authority to arrest and interrogate anyone suspected of involvement in the 1976 "Red Terror" Campaign under Mengistu and other crimes. Trials began in 1994 and continued during the year. Of the 5,198 cases, the federal High Court in Addis Ababa continued to arraign and prosecute those charged with politically motivated genocide, war crimes, and aggravated homicide under the previous regime, including the disappearance of 14,209 persons. Although the process was subject to frequent and lengthy adjournments, in November, the SPO reported that 99 percent of all Dergue-related trials had been completed. Approximately 3,000

were tried in absentia, including former dictator Colonel Mengistu Haile Mariam, who remained in exile in Zimbabwe. Updated statistics on the number of decisions handed down and the number of persons convicted during the year were unavailable at year's end. Court-appointed attorneys, sometimes with inadequate skills and experience, represented many of the defendants, following claims that they could not afford an adequate defense.

There was no additional information available on the status of the cases against persons charged in 2001 with participating in the 1987 Hawzein Massacre.

On November 28, a federal High Court ruled that property and assets seized from the independent ETA in 1993 should be returned to it immediately. The court's decision also entitled the ETA to seek compensation for damages caused by the lengthy litigation.

There were reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence

The law requires judicial search warrants to search private property; however, in practice, particularly outside of Addis Ababa, police often searched property without obtaining warrants. Opposition party representatives claimed that police sometimes used fraudulent warrants to enter homes and commit criminal acts, including money extortion. There were reports that members of the Federal Police robbed persons during the year, including through the use of false warrants. For example, on July 14, members of the Federal Police threatened a man with force, showed a fraudulent search warrant, and robbed the man of \$6,381 (55,000 birr) in Addis Ababa. The case was under investigation at year's end. On August 7, five members of the Federal Police robbed \$34,802 (300,000 birr) from a man in Addis Ababa. The police showed fraudulent search warrants, and threatened to shoot the man if he did not give them the money. Two of the suspects were arrested. Reports indicate that the victim was accused of being a member of the OLF.

There continued to be reports that police forcibly entered the homes of civilians. There also were reports that security forces took persons from their homes in the middle of the night without warrants.

On August 27, according to the AEUP, security forces entered the home of Nibret Yizenga, AEUP chairman in Debre Marcos Woreda, Amhara Region, without a warrant.

Opposition parties complained of frequent government interference in their activities, ranging from closing party offices to frustrating their attempts to hold meetings to beating and detaining party members (see Sections 1.c., 1.d., and 2.b.). In addition, opposition party members reported that their homes were burned down and their offices looted (see Section 3).

The Government arbitrarily monitored private communication such as Internet communications and phone conversations. All electronic communications facilities were state-owned. The Government also used a system of paid informants to report on the activities of particular individuals.

There were reports during the year of the forced displacement of families in rural areas. The Government continued implementing its plan of resettling persons from drought-prone areas to more fertile lands. The Government said its resettlement program was entirely voluntary, but some opposition parties accused local authorities in some rural areas of targeting opposition supporters for resettlement by manipulating resettlement rosters. NGOs like Doctors without Borders reported that in several instances, the Government had resettled persons to areas with no existing infrastructure or clean water supply, resulting in unusually high rates of infant mortality.

Unlike in the previous year, there were no reports that police forcibly returned persons suffering from famine and drought to their villages.

There continued to be reports that the Government, in an attempt to "clean up" Addis Ababa, forcibly resettled persons to an area outside of the city.

There continued to be credible reports during the year from EHRCO and opposition parties that in certain rural areas in the Southern Region, Oromiya Region, and Amhara Region, local officials used threats of land redistribution and withholding of food aid and fertilizer to garner support for the ruling coalition. On February 1, ruling party officials and supporters threatened to withhold food assistance to those participants at an AEUP

meeting in Debre Tabor, Amhara Region, and to remove them from their farmland. In September, ruling party cadres threatened to take away land occupied by eight farmers, who were supporters of the United Ethiopia Democratic Party (UEDF), in Masha Woreda, Southern Region. Ruling party cadres told the farmers that opposition party members were not entitled to land and told them to refrain from participating in UEDF activities. When the farmers refused to comply with this demand, they were evicted from their land.

There also were credible reports that teachers and other government workers have had their employment terminated if they belonged to opposition political parties. For example, in October, two teachers in Masha Woreda were dismissed for being members of UEDF.

During the year, the Southern Regional Council passed a Civil Service Proclamation that requires all government employees to support the policies and programs of the Government or face termination of their employment. There were many credible reports from the SEPDC that some government officials used this law to remove opposition supporters from their jobs.

The SEPDC and AEUP reported that some kebele officials and ruling party supporters used coercion to dissuade residents from participating in activities of opposition political parties, and threatened prospective landlords from renting office space to those parties (see Section 3).

The Family Law Code imposes a 6-month waiting period on anyone seeking to remarry following a divorce or the death of one's spouse (see Section 5). The Government maintained that this waiting period was necessary to determine whether a woman may still be carrying the child of her former spouse.

Security forces detained family members of persons sought for questioning by the Government, such as suspected members of OLF.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and press; however, the Government restricted these rights in practice. The Government continued to prosecute journalists and editors for violating the press law. The Government controlled all broadcast media. Some private and government journalists practiced self-censorship. Nonetheless, the private press remained active and often published articles that were extremely critical of the Government.

During the year, several groups critical of the Government held press conferences and public meetings without retribution, and several opposition parties held press conferences that were covered by both the private and the government press. The Government continued to oppose activities and operations of groups that were critical of it, such as the independent ETA and opposition political parties, by denying them permits to hold meetings (see Section 2.b.).

The independent print media were active and expressed a wide variety of views without government restriction. There were two government-owned dailies.

Radio remained the most influential medium for reaching citizens, particularly those who live in rural areas. Although the law allows for private radio stations, a regulatory mechanism was not in place, and there were no independent radio stations. The Government continued to control all radio and television broadcast media. The two nongovernmental stations, Radio Fana, a station controlled by the ruling EPRDF coalition, and the TPLF radio, which broadcast in the Tigrigna language from Mekele, had close ties to the Government. Broadcasting time on the state-run Radio Ethiopia was sold to private groups and to individuals who wanted to buy spots for programs and commercials. The Government operated the sole television station, and news was controlled tightly. By year's end, the Ethiopian Broadcasting Agency (EBA) had not started issuing broadcast licenses.

There were no restrictions on access to international news broadcasts. Ownership of private satellite receiving dishes and the importation of facsimile machines and modems were permitted; however, access to this technology was limited by its cost and the limited capacity of the Ethiopian Telecommunications Corporation.

Foreign journalists continued to operate freely and often wrote articles critical of government policies. They or their local affiliates were often granted greater access to government officials than were local independent journalists.

Several foreign news organizations maintained bureaus or offices in Addis Ababa; the majority of these were staffed with local journalists, and they operated free of government restriction.

There were reports that police harassed, beat, and detained journalists during the year. For example, Araya Tesfa Mariam, a journalist working for the private newspaper Tomar, reported receiving threats and anonymous telephone calls for his refusal to divulge confidential sources related to a story he had written. Araya alleged that on October 1, three men wearing Federal Police uniforms and brandishing iron rods assaulted him and threw him off a bridge into a river in the Yeka neighborhood of Addis Ababa, leaving him for dead. He suffered broken bones and teeth during the fall and cannot walk. The EHRCO investigated the matter and corroborated these events in a special report. The Federal Police disavowed any knowledge of the incident. Although police stated they would open an investigation into the case if Araya requested one, no investigation had been requested by year's end for fear of further retribution by security forces.

On October 16, Daniel Gezahegn, editor in chief of Moged, and Wondimeneh Nigussie, deputy editor in chief, were summoned to the CID Office because of an editorial letter published in Moged on September 6. Both were released on bail of \$232 (2,000 birr) each. At year's end, Gezahegn continued to face charges for an article that he wrote that was critical of the Ethiopian Orthodox Church.

The Government used statutory provisions concerning publishing false information, inciting ethnic hatred, libel, and publishing articles offensive to public morality to justify the arrest and detention of journalists. Independent journalists accused the Government of selectively applying sections of the Penal Code to levy charges against journalists and applying sections of the 1992 press law for penalizing them. During the year, journalists were detained. For example, on May 14, Wossenseged Gebrekidan was charged with defamation for his May 2002 article in Ethop critical of Habtemariam Seyoum, the country's Ambassador to France. Wossenseged appeared in court and was charged with "slandering the good name of the ambassador." He was jailed because he was unable to post bail of \$232 (2,000 birr), but was released on May 16 when fellow journalists secured his bail. Wossenseged was arrested again and charged with inciting the armed forces against the Government for an article he wrote on June 4. He was released on \$580 (5,000 birr) bail. His hearing is scheduled for May 7, 2004. On October 9, police arrested Wossenseged for allegedly "disseminating fabricated information" in a report he wrote about the national military service proclamation. He was released on bail of \$581 (5,000 birr).

On July 1, the former editor in chief of Satenaw, Merid Estifanos, was charged with libel against Prime Minister Zenawi. He was later released on bail of an undisclosed amount.

Zegeye Haile, editor in chief of Genanaw, who was arrested in July 2002, remained in detention at Addis Ababa Central Prison on unspecified charges. No other details were available on his pending case at year's end.

Journalists were tried, sentenced, and fined during the year. For example, in August, a Shari'a court found three journalists working for Al-Nejashi newspaper guilty of libel against the spouse of a Muslim woman. The Shari'a court sentenced the publisher Arif Abdulkadir, managing editor Awol Kedir, and editor in chief Yusuf Getachew to 1 month in jail and also fined them an undisclosed amount of money. On August 28, a civil court ordered the three journalists released on bail. The status of their appeal before the Federal Shari'a Court was unknown at year's end.

Desta Lorenzo and Wuletaw Baye, both of the Addis Lissan newspaper, were fined the equivalent of 10 days' salary by the Addis Ababa City Administration and Information Bureau, which oversees publication of that newspaper, for reporting on February 15 that the bureau was changing to a mass media information agency.

Approximately 35 journalists had trials pending at year's end, according to the Ethiopian Free Press Journalists Association (EFPJA).

Some journalists arrested in 2002 and 2001 and released on bail had charges pending at year's end, including Melese Shine, editor of Ethop newspaper and magazine; Tamrat Zuma, editor in chief of the defunct Amharic-language weekly Atkurot; and Tilahun Bekele, editor of Netsanet newspaper.

Other cases against journalists were resolved during the year. For example, on January 8, Lubaba Seid, former editor in chief of Tarik, was released following her April 2002 sentencing to 1 year imprisonment for disseminating "fabricated news that could have a negative psychological effect on members of the Defense Army and disturb the minds of the persons." Tarik had not resumed publication by year's end.

On April 1, Befekadu Moreda, publisher and editor in chief of the weekly newspaper Tomar, appeared in court to face libel charges against the manager of a government-owned cement factory. Befekadu was released on \$232 (2,000 birr) bail. Charges against him were dropped during a subsequent June 23 court appearance.

At year's end, about 44 journalists remained in self-imposed exile.

All official media received government subsidies; however, they legally were autonomous and responsible for their own management and partial revenue generation. The Ministry of Information was the Government's official spokesperson and managed contacts between the Government, the press, and the public; however, the Government routinely refused to respond to queries from the private press and often limited its cooperation with the press to the government-run Ethiopian News Agency, the ruling party-controlled Walta news agency, and correspondents of international news organizations. Government reporters practiced self-censorship.

Generally the Government permitted private newspapers and news organizations to attend government briefings and press conferences, and some government officials provided information and granted interviews to private journalists. There were no reports that members of the independent press were barred from attending press conferences given by government agencies. The Prime Minister's office continued to deny all access to the independent press for coverage of official events at the Prime Minister's office. The independent press was also denied access to the opening session of the Federal Parliament during the year.

The Ministry of Information required that newspapers show a bank balance of \$1,165 (10,000 birr) at the time of their annual registration for a license to publish. This sum effectively precluded some smaller publications from registering. Although the requirement was not enforced strictly, the Ministry of Information noted publicly that many newspapers were not in compliance and could be closed down on short notice. Permanent residency also was required to establish a newspaper. The Government did not require this of other businesses, and some independent journalists maintained that the residency requirement was used as a form of intimidation. The press law required all publishers to provide free copies of their publications to the Ministry of Information on the day of publication.

The majority of private papers as well as government papers were printed at government-owned presses. However, a few private newspapers started using smaller private printing presses, one of which was owned by the publisher of the Daily Monitor. Police had the authority to shut down any printing press without a court order, but did not exercise that power during the year. Unlike in the previous year, there were no reports that the independent media was unable to print articles on the government-owned printing press.

Newspapers critical of government leaders and their policies were available widely in the capital but scarce elsewhere, although circulation in the regional capitals increased during the year. Journalists said that distribution problems were a function of newspapers' financial constraints rather than government prohibitions.

Despite the constant threat of legal action, the private press remained active and continued to publish articles critical of the Government and to report on human rights abuses. While much of the private press continued to lack professionalism in its reporting, some print media continued developing into more responsible publications. Many private newspapers and opposition newsletters continued to publish inaccurate information, unsubstantiated stories, and harsh antigovernment articles without any official penalty. Several publications were tied to distinct ethnic groups, particularly the Amharas and Oromos, and severely criticized the Government for being ethnocentric.

In May, Tsege Gebreamlak, editor in chief of the Ethiopian Herald, a government daily, was suspended from his job for his criticism of nepotism and corruption within the Ethiopian Press Agency published on the editorial page of his newspaper. His office was sealed, and he was prevented from entering the compound. Tsege was not reinstated and left the newspaper.

The Government prohibited political parties and religious organizations from owning stations; foreign ownership also was prohibited. The AEUP complained that Ethiopian Television officials would not broadcast paid party announcements without first censoring key portions of the message script.

The EFPJA continued to be active during the year, organizing journalism training workshops and issuing statements to press advocates and human rights organizations inside and outside the country on the arrest and harassment of journalists. EFPJA was active in organizing discussions on the draft press law and pushing for amendments to it. In cooperation with an international NGO, EFPJA organized a conference from October 21 to 22 on media development in the Horn of Africa, which included representatives of international press advocacy groups and African media institutes, as well as the Government's Minister of Information.

However, on November 10, the Ministry of Justice (MOJ) ordered the EFPJA to suspend its activities and froze its bank account for its failure to reregister with the MOJ by providing required annual activity and audited financial

reports for the previous 3 years. The MOJ also enforced the same NGO regulations against an association of government journalists. On December 2, the MOJ suspended five EFPJA executive committee members. The Government said it would review the EFPJA's application for registration once it submitted the requisite reports. The EFPJA accused the Government of shutting it down because of its critical comments on the government's draft press law. The MOJ announced that it would convene a general assembly of the EFPJA to allow members either to choose new leadership or reelect the suspended leaders to office. The case was pending at year's end.

The Ethiopian Women's Media Association (EWMA), which included both government and private journalists, remained active during the year; the EWMA organized training and workshops and printed a journal.

In February, the National Union of Journalists of Ethiopia (NUJE) was established and received its license from the Government, becoming the country's fourth journalists' association. Citing the difficulties journalists experience in having their voices heard, the NUJE decided to exclude publishers from its membership.

The Government did not restrict Internet access. Internet access was provided through the government-controlled Ethiopian Telecommunications Corporation, which maintained a waiting list for new accounts. No private Internet service providers were operating at year's end. Private satellite transmission uplinks were not allowed.

The Government generally did not respect academic freedom during the year. The Government maintained that professors could research any field within their discipline but that they could not espouse political sentiments. Teachers at all levels were not permitted to deviate from official lesson plans. AAU students are prohibited from forming associations on the basis of their ethnicity. UNHCR reported that many of the student leader activists who fled after the 2001 riots have returned to the country. Political activity was discouraged on university campuses. There were unconfirmed reports that uniformed police officers were visible on campuses and that plainclothes security officers tried to blend in with the student body. While in theory student governments were permitted, many students refrained from involvement in any on-campus activity that could be considered political in nature by the Government. Human Rights Watch reported that the student union and student newspaper were banned during the year. Unlike in the previous year, there were no reports that AAU administration officials resigned because of growing government interference in internal university matters. According to a 2002 survey conducted by the ETA of 280 public universities and secondary schools throughout the country, nearly 90 percent of the school directors and vice-directors of those schools belonged to the ruling party or its affiliates.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly; however, on several occasions the Government restricted this right in practice. Organizers of large public meetings or demonstrations must notify the Government in advance and obtain a permit. There were several reports during the year that permits were denied to opposition parties. Opposition parties also reported long, unexplained delays by the Government in issuing permits and last minute revocations of permits, which hindered the ability of groups to organize events.

Opposition political parties reported that their supporters were the targets of frequent and systematic violence by ruling party supporters during the year, often after leaving meetings (see Sections 1.c. and 3).

On October 12, according to the AEUP, Akililu Seyoum, the youth organizer of AEUP in the Kebele 31 Farmers Association, in Mekane Selam Woreda, Amhara Region, applied for and was denied permission to hold a meeting of AEUP's youth wing.

Some opposition political parties charged the Government with deliberately obstructing their attempts to hold public meetings. Local government officials granted the UEDP permission to conduct a conference in Mekelle on June 29; however, on the day of the conference, UEDP officials were told that the regional government needed the hall for an urgent meeting, and UEDP was denied its meeting venue. AEUP reported that even after it had obtained permission to hold meetings and left deposits for meeting halls in Debre Marcos, Bahir Dar, Gondar, Jimma, and Awassa, they were told suddenly that the halls were unavailable. AEUP also reported that on June 14, at an AEUP meeting at Debre Birhan Cinema Hall, ruling party supporters physically obstructed persons from entering the meeting hall.

The independent ETA continued to encounter government restrictions while attempting to hold meetings or demonstrations. In June, police locked the offices of the ETA during its 54th anniversary celebration and told those trying to attend that the celebration had been cancelled. On October 5, police blocked leaders of the ETA from leaving the premises of ETA's office in Addis Ababa to stage a planned demonstration against the Government's education policy. ETA reportedly received a permit to demonstrate and notified the Addis Ababa Municipal

Administration and the Ministry of Justice 2 weeks earlier about its intentions.

Unlike in the previous year, there were no reports that police killed or injured students while forcibly dispersing demonstrations.

The Government conducted an investigation into the May 2002 demonstration in Awassa, capital of the Southern Region, but did not release the results of that investigation to the public. The opposition had sought an independent investigation of the incident and noted that the Vice President of the Southern Region, who himself reportedly was implicated in the conflict, headed the Government's investigation. According to official government reports, police killed 15 protesters and injured 25. The opposition SEPDC alleged that security forces killed 51 persons and injured 44 persons who were protesting peacefully. EHRCO reported that police killed 5 student demonstrators and seriously injured at least a dozen others with gunfire. The entire Sidamo Zone police force was forced to participate in re-education sessions. Approximately 200 policemen were fired for alleged complicity with demonstrators. The opposition alleged that ruling party officials arrested in connection with the case were released on minimum bail, while opposition party members received stiff bail conditions that they could not meet. The status of the individuals arrested in cases related to the Awassa demonstration and the killing of the head of the Southern Region's education bureau, some of whom were held incommunicado, was unknown at year's end (see Section 1.a.).

No further action was taken against security forces who forcibly dispersed demonstrations in 2002 or 2001.

No information was available about the status of at least 13 teachers who reportedly were arrested and detained in Ambo on the grounds that they were spreading OLF propaganda and inciting the students to riot during the March 2002 protests.

Nine persons arrested in April 2002 during demonstrations in the zonal capitals of Nekempte, Chimbi, and Ambo remained in detention in Meta Robi at year's end.

It was unknown at year's end if persons detained in previous years for holding illegal meetings remained in detention at year's end.

The Constitution provides for freedom of association and the right to engage in unrestricted peaceful political activity; however, the Government limited this right in practice. A number of policy issues regarding NGOs remained unresolved, including the ability of NGOs to enter into formal network arrangements that would enable them to pool funds. The Ministry of Justice administers primary registration. The Government continued to deny an operating license to The Human Rights League.

The Government required political parties to register with the National Election Board (NEB). Parties that did not participate in two consecutive national elections were subject to deregistration. There were approximately 55 organized political parties; 5 were national parties, and the remainder operated only in limited areas. There were no reports during the year that any political party had its registration revoked.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally respected this right in practice; however, on occasion local authorities infringed on this right. The Ethiopian Orthodox Church (EOC) and Islam are the dominant religions, accounting for nearly 90 percent of the population.

On February 16, Federal Police disrupted a peaceful gathering of members of the Lideta Maryam Church congregation in Addis Ababa and arrested 34 of them at a local hall. The group said it had rented the hall and had given advance notification of their gathering to local police officials. According to the EHRCO, members of the Federal Police Special Commando Unit raided the church and took the 34 members to Kolfe Police Training Camp, where they were forced to crawl back and forth on their knees and elbows on a gravel surface. They were released the following day.

The Government required that religious groups be registered. Religious institutions register with the Ministry of Justice and must renew their registration every year. However, the EOC has never registered and has never suffered ramifications for not registering. Similarly, the Ethiopian Islamic Affairs Supreme Council (EIASC), after registering in 1995, has never reregistered after it protested this requirement to the Prime Minister. Protests from other religious groups over these exceptions have not resulted in equal treatment from the Government.

Under the law, a religious organization that undertakes development activities must register its development wing separately as an NGO. Religious groups were given free government land for churches, schools, hospitals, and cemeteries; however, the title to the land remained with the Government, and the land, other than that allocated for prayer houses or cemeteries, could be taken back at any time.

Minority religious groups reported discrimination in the allocation of government land for religious sites. Protestant groups occasionally reported that local officials discriminated against them when seeking land for churches and cemeteries. Evangelical leaders reported that because they were perceived as "newcomers" they remained at a disadvantage compared with the EOC and the EIASC in the allocation of land. The EIASC reported that it had more difficulty obtaining land from the government bureaucracy than the EOC while others believed the EIASC was favored for mosque locations. Many mosques were built by squatters without city government approval and since have been targeted for demolition.

The Government did not issue work visas to foreign religious workers unless they were attached to the development wing of a religious organization.

Muslim leaders reported that public school authorities occasionally interfered with their free practice of Islam. Some public school teachers in Addis Ababa and in the Southern and Amhara regions objected to Muslim schoolgirls covering their heads with scarves while at school. Muslim leaders stated that in some schools, Muslim girls went without head coverings to avoid similar problems.

Under the Press Law, it is a crime to incite one religion against another. The Press Law also allows for defamation claims involving religious leaders to be prosecuted as criminal cases. Charges were pending at year's end against several journalists for criticizing religious leaders (see Section 2.a.).

There was at least one reported inter-religious clash resulting in injuries during the year. On April 26, on the evening of Ethiopian Orthodox Holy Saturday, Ethiopian Orthodox Christians in the Woreda 28, Kebele 4 area of Addis Ababa attacked members of the local Islamic council and destroyed a fence surrounding a plot of land upon which a mosque was to be built. Several persons were injured; at least one Islamic council member was hospitalized for several weeks. It is unknown whether police made any arrests in the case.

One man remained in police custody at year's end for the July 2002 murder of Pastor Damtew, a Full Gospel Fellowship Pastor, in Merawi, Amhara Region. The pastor was killed when a mob of EOC priests and other adherents forcibly entered his home at night.

The Federal Police conducted an investigation into the November 2002 and December 2002 confrontations between members of Lideta Maryam Orthodox Parish in Addis Ababa and EOC officials. It concluded that police officers acted properly and did not use excessive force. Police raided the church compound and forcibly dispersed members of the congregation who were assembled in prayer. According to the Federal Police, a soldier--not a policeman--killed a man who was in the church compound. The soldier remained in army custody. According to the EHRCO, police indiscriminately beat many persons in the compound, including nuns, monks, elderly women, and other bystanders, including two journalists. According to EHRCO, after the raid, police detained approximately 700 persons at Kolfe police training camp and subjected them to physical abuse. The Federal Police estimated that the number of detainees was about 300. Police required them to sign statements under duress admitting to their roles in inciting riots at the church before they could be released.

The Federal Police stated that a number of persons were charged in connection with the December 2002 riot between Orthodox and Protestant worshippers in Mekelle, Tigray Region, at Adventist prayer service being conducted in a stadium. No policemen were implicated in the killings of five persons during the riots.

Leaders of the EIASC continued to struggle during the year with Wahibbist fundamentalism within their ranks. The growing influence of radical or fundamentalist elements within Islamic communities in the country, aided by funding from Saudi Arabia and other Gulf states for mosque construction, continued to concern the EIASC.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government restricted them in practice.

The law requires citizens and residents to obtain an exit visa before departing the country. Eritreans and Ethiopians of Eritrean origin were able to obtain exit visas. Unlike in the previous year, they did not experience problems returning to the country.

The Government, together with the ICRC, monitored the repatriation of 177 Eritrean civilians to Eritrea during the year. During the year, 188 persons were resettled outside the country, and 1,579 cases were pending. Most Eritreans and Ethiopians of Eritrean origin were registered with the Government and held identity cards and 6-month residence permits to gain access to hospitals and other public services. However, there were anecdotal reports that indigent Eritreans were denied the right to seek free medical services by government officials at the kebele level.

In 2002, the Government transferred at least 200 Eritrean military deserters who had been held at the Dedesa detention center to a northern refugee camp. UNHCR processed 178 cases in 2002 and 94 during the year for resettlement to third countries. At year's end, 98 cases were pending.

An unknown number of Ethiopian students remained at the Kakuma refugee camp in northwest Kenya following the April 2001 riots at AAU (see Section 1.d.).

Unlike in the previous year, there were no reports that security forces bribed Kenyan police to harass, intimidate, and arbitrarily arrest Ethiopian refugees in Nairobi.

As a result of the conflict with Eritrea, thousands of persons were displaced internally. The World Food Program reported in 2002 that approximately 76,500 IDPs remained in the country along the border with Eritrea. Of the approximately 350,000 IDPs resulting from the border war, approximately 225,000 IDPs have been resettled.

Due to violent clashes between different ethnic groups during the year, thousands of persons were killed, injured, or internally displaced (see Section 5).

No information was available on the status of the investigation into ethnic clashes that resulted in the deaths of 41 Dinka and Nuer refugees in Fugnido camp in November 2002. Authorities arrested and detained several officials of the Fugnido municipal government and several Gambella regional officials in connection with the 2002 massacre.

Approximately 24,500 Nuer and Dinka refugees remained in Fugnido camp at year's end. Plans to move all Nuer and Dinka refugees from Fugnido camp were delayed when a proposed new site in Odier for another camp was determined to be unsuitable.

The law provides for the granting of refugee status or asylum to persons who meet the definition in the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol. In practice, the Government generally provided for protection against refoulement and granted refugee status or asylum. The Government generally cooperated with UNHCR and other humanitarian organizations in assisting refugees and returning citizens.

As of September, the country hosted approximately 128,610 refugees, down from 138,816 refugees at the end of 2002. Of these, 93,797 Sudanese refugees were located in the western refugee camps. The number of Eritrean refugees increased to 5,980 during the year. As the result of the ongoing repatriation program in the eastern camps, the number of Somali refugees decreased to 28,347. The Hartishek camp remained open at year's end. The Government, in cooperation with the UNHCR, continued to provide temporary protection to refugees from Sudan and Somalia.

There were approximately 5,651 Eritrean Kunama refugees and a small population of urban refugees from other countries at the Wa'ala Nhibi camp at year's end. The refugees remained in a camp with inadequate health, education, water, and sanitation facilities. UNHCR reported that it had no plans to move these refugees to another site. By year's end, there were plans to move the Eritrean Kunama refugees to another site.

The UNHCR had no information about whether the Government had taken any action against security forces involved in the torture of three Sudanese refugee leaders in December 2001 at Fugnido refugee camp in the Gambella Region. It was also unclear whether the Government had investigated the June 2002 attack by staff members of the Administration for Refugee and Returnee Affairs against Sudanese refugees at the Sherkole Camp; however, the agency transferred to Addis Ababa one of its members accused of abusing refugees and placed him on "indefinite leave."

There were unconfirmed reports of conflicts between refugees at and local residents over scarce resources.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government peacefully and allows for the right of secession, and citizens exercised this right in the 2000 national elections that were generally free and fair in most areas; however, the elections were also marred by serious irregularities. The Constitution grants universal adult (18 years of age) suffrage, establishes periodic elections by secret ballot, and allows citizens to take part in the conduct of public affairs, directly and through freely chosen representatives; however, in practice the EPRDF ruling party dominated the Government. According to observers organized by EHRCO, local U.N. staff, diplomatic missions, political parties, and domestic NGOs, the 2000 national elections and the 2001 regional elections were generally free and fair in most areas but were marred by serious irregularities, including killings, disappearances, voter intimidation and harassment, and unlawful detentions of opposition party supporters, particularly in the Southern Region.

During the year, the Government announced that the constitutionally-mandated national census scheduled for 2004, which determines popular representation in the Federal Parliament, would be postponed indefinitely due to lack of funds. There were great disparities in regional representation in the Federal Parliament, based on 1994 census figures and 1995 voter registration. For example, in Gambella Region, 1 Member of Parliament (M.P.) represented 17,496 registered voters; in Tigray region, 1 M.P. represented 35,897 registered voters, and in Somali region, 1 M.P. represented 99,761 registered voters. In October, the State Minister of Federal Affairs acknowledged publicly that the country's nomadic communities, which made up an estimated 7 million persons, were still being excluded from democratic representation.

The EPRDF ruling party continues to be dominated by the Tigrayan ethnic group. Of 548 seats in the House of People's Representatives (HPR), 496 were held by the EPRDF or its affiliate parties. The EPRDF-affiliated Tigray People's Liberation Front (TPLF) occupied 40 seats. The EPRDF, its affiliates, and EPRDF supporters controlled all seats in the 108-member House of Federation, whose members were appointed by regional governments and by the federal Government. In the Southern Region, opposition parties held approximately 7 percent of the seats in the Regional Council.

Opposition parties accused the NEB of being an instrument of the ruling party and for failing to take meaningful action upon being informed of electoral irregularities, including ballot stuffing, vote count fraud, bribery, killings, beatings, and widespread intimidation and harassment by ruling party supporters during the 2001 and 2000 elections.

Several SEPDC candidates for the national or municipal elections were detained, and two SEPDC members elected to the regional council in 2000 were detained without having their parliamentary immunity formally removed (see Section 1.d.). It was unknown at year's end if the two elected SEPDC members were allowed to take their seats.

Membership in the EPRDF conferred advantages upon its members, and the party owned many businesses and awarded jobs to loyal supporters. In addition to the Government, only the TPLF was allowed to operate radio stations (see Section 2.a.).

The major opposition parties were engaged in a slow process of consolidation. In August, 15 opposition parties formed a coalition named the UEDF. At year's end, the UEDF was trying to negotiate a pledge from the Government to allow many of the parties based abroad to return to the country and set up local offices; however, the Government claimed that the coalition had not yet officially informed it of its plans. Prime Minister Meles also publicly said he supported "constructive engagement" with the opposition; however, Meles publicly criticized the opposition for disloyalty and "politics of hate."

Registered political parties also must receive permission from regional governments to open local offices. Opposition parties, such as the AEUP and the KPDU, reported that local government officials closed some of their branch offices in contravention of authorization from regional officials and the NEB for those offices to be allowed to remain open. Government officials and supporters in rural areas often coerced residents not to participate in opposition party functions and not to rent office space to those parties (see Section 1.f.). On February 7, AEUP informed local officials in Bubugn Woreda, East Gojam Zone, Amhara Region, of its plan to open up a branch office in the woreda and gave a list of names of AEUP organizers to them, as requested. After receiving the list, woreda officials announced over a megaphone that people should neither associate with AEUP nor rent a house to AEUP members for its branch office.

Unknown persons looted opposition parties' offices. For example, in May, following a meeting in Bonga town, Southern Region, organized by the opposition SEPDC, unknown individuals broke into the SEPDC office and looted property. SEPDC said that despite its appeals for a police investigation, police had taken no action by year's end.

On July 11, unknown individuals broke into the ONC office in Harar and stole money and office property. Police opened an investigation into the case, which was ongoing at year's end.

On August 21, the Addis Ababa office of the Oromo National Congress (ONC), an opposition political party, was broken into by unknown individuals, and money and office property were stolen. The case remained unsolved at year's end.

During the year, opposition members' homes were set on fire. On November 10, local kebele officials and militia in the Kuchit and Batay Farmers Association in Bibugn Woreda, East Gojam, set the home of AEUP member Shaleka Bekele Mengesha on fire while he was asleep with his wife and child. They were able to escape but lost their house, livestock, and food. In August, the home of Adugnaw Baybil in Bibugn, a member of the woreda council, was set on fire.

By year's end, the Government had taken no action in the November 2002 arson attack on the home of Ethiopian Democratic Unity Party (EDUP) official Desalegn Yimer in Ambasel Woreda, Kebele 2, in Hayk, South Wello Zone.

KDDU members elected to the local woreda council were allowed to assume the offices to which they were elected in 2001.

Elections for the Somali region that were scheduled for 2001 had still not taken place by year's end.

Federal regions, largely organized along ethnic lines, increasingly were autonomous and had a large degree of local control over fiscal and most political issues. However, the relationship between the central Government and local officials and among various judiciaries lacked clear delineation and consistent coordination, and occasionally actions were taken at the local level that conflicted with stated federal policy.

In October 2002, Prime Minister Meles dissolved the Addis Ababa city government and replaced it with a provisional administration led by EPRDF/TPLF member Arkebe Oqubay. Under the Addis Ababa City Charter, the appointed council members can only hold office for 1 year until new elections are called; however, no elections for Addis Ababa Council members were held during the year.

Political participation remained closed to a number of organizations that had not renounced violence and did not accept the Government as a legitimate authority. Many of those groups agreed to abandon armed struggle against the Government upon joining the coalition UEDF in August. However, the OLF and the ONLF have refused to join the coalition.

Of the 19 members of the Council of Ministers, 1 was a woman, 2 other women held ministerial positions, and a number of other women held senior positions. There were 42 women in the 548-seat HPR, and 9 of 113 members in the House of Federation were women. Of the 14 members of the Supreme Court, 3 were women.

The government policy of ethnic federalism led to the creation of individual constituencies to ensure representation in the HPR of all major ethnic groups. Small ethnic groups were not represented in the legislature. There were 23 nationality groups in 6 regional states that did not have a sufficient population to qualify for constituency seats; however, individuals from these nationality groups competed for 23 special seats in the 548-seat HPR in the 2000 elections.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups operated with limited government restriction, investigating and publishing their findings on human rights cases. The Government generally was distrustful and wary of domestic and international human rights groups. Two of the most prominent domestic human rights organizations were EHRCO and the Ethiopian Women's Lawyers Association (EWLA). The Government frequently discounted EHRCO's reports and labeled it a political organization. The EWLA's primary function was to represent women legally. These, and numerous other groups, primarily engaged in civic and human rights education, legal

assistance, and trial monitoring. However, the Government neither shared information about nor acknowledged the existence of human rights abuses with members of the domestic NGO community.

The Human Rights League (HRL) continued to be investigated by the Government at year's end for its alleged ties to the OLF. In 2001, the HRL sued the Government for not processing its registration, and the court ordered the Ministry of Justice to reply to the HRL petition for registration by February 2002. The lawsuit was pending at year's end.

Several international human rights groups visited the country during the year.

Officials of the Federal Security Authority generally were more responsive to requests for information from the diplomatic community.

The Government is required under the Constitution to establish a Human Rights Commission, and an Office of the Ombudsman with the authority to receive and investigate complaints with respect to misadministration by executive branch offices. Although Parliament passed legislation creating both entities in 2000, neither entity was operational by year's end.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on race, color, sex, language, national origin, political or other opinion, or social status; however, in practice the Government did not effectively enforce these protections.

Societal discrimination against persons with HIV/AIDS continued during the year.

Women

Domestic violence, including wife beating and marital rape, was a pervasive social problem. There is no specific law regarding domestic violence or sexual harassment. While women had recourse to the police and the courts, societal norms and limited infrastructure prevented many women from seeking legal redress, particularly in rural areas. Social practices obstructed investigations and prosecutions in rape cases, and many women were not aware of their rights under the law. It was estimated that there were more than 1,000 rapes a year in Addis Ababa. The press continued to regularly report on rape cases. Rape sentences were handed down in line with the 10 to 15 years prescribed by law. Unlike in the previous year, there were no reports that members of the military who were redeployed from border areas to other regions sexually harassed and raped some young women. During the year, the EWLA conducted research on the number of rapes committed and the number of rape convictions handed down; however, the results had not been released by year's end.

Although illegal, the abduction of women and girls as a form of marriage continued to be practiced widely in the Oromiya region and the Southern Region, despite the Government's attempts to combat this practice. Forced sexual relationships often accompanied most marriages by abduction, and women often were physically abused during the abduction. Many of those girls married as early as the age of 7, despite the legal marriage age of 18. Abductions led to conflicts among families, communities, and ethnic groups. In cases of marriage by abduction, the perpetrator was not punished if the victim agreed to marry him (unless the marriage was annulled); even after a perpetrator was convicted, the sentence was commuted if the victim married him.

The majority of girls underwent some form of FGM. Clitoridectomies typically were performed 7 days after birth and consisted of an excision of the labia. Infibulation, the most extreme and dangerous form of FGM, was performed at any time between the age of 8 and the onset of puberty. According to the findings of a government national baseline survey released during the year on harmful traditional practices, 90 percent of women undergo one of four forms of FGM--circumcision, clitoridectomy, excision, and infibulation. The National Committee on Harmful Traditional Practices reported that, according to a national baseline survey, harmful practices against women, including FGM, abduction, and early marriage have declined from over 90 percent to 73 percent since 1992.

The Constitution and the Penal Code prohibit bodily injury; however, these provisions did not specifically outlaw FGM. The Government continued to update the Penal Code. The Government also worked to discourage the practice of FGM through education in public schools.

There were credible reports from the EWLA and the International Organization for Migration (IOM) that many female workers who traveled to the Middle East as industrial and domestic workers were abused in these positions

(see Section 6.f.).

The Constitution states that all persons are equal before the law; however, the Government has not yet fully put into place mechanisms for the effective enforcement of these protections. The Family Law sets the legal marriage age for girls at 18, the same as for boys; elevates civil law above customary and religious law; allows for the legal sharing of property for unmarried couples who live together for at least 5 years; eliminates family arbitrators as a means of settling marital disputes in lieu of the court system; allows for the joint administration of common marital property; requires the courts to take into account the situation of children or the weakest member of the family in the event of divorce or separation; and imposes a 6-month waiting period on women seeking to remarry following divorce or the death of a spouse. However, regional councils had authority to determine family law for their respective regions. During the year, the Oromiya Regional Parliament struck down a provision in the Oromiya Family Law banning bigamy in the region.

Discrimination against women was most acute in rural areas, where 85 percent of the population lived. The Civil Code and the Penal Code contained discriminatory regulations, such as the recognition of the husband as the legal head of the family and the sole guardian of children over 5 years old. Domestic violence was not considered a serious justification to obtain a divorce. There was only limited juridical recognition of common law marriage. Irrespective of the number of years the marriage existed, the number of children raised, and joint property, the woman was entitled to only 3 months' financial support if the common law relationship ended. A husband had no obligation to provide financial assistance to his family and, as a result, women and children sometimes were abandoned when there was a problem in the marriage.

All land belonged to the Government. Although women could obtain government leases to land, and the Government had an explicit policy to provide equal access to land for women, this policy rarely was enforced in rural communities. According to the EWLA, in nearly all regions, women do not have any access to land. They cannot inherit land, and the only way for them to gain access to land was to get married. However, when the husband dies, his wife was often kicked off her land by other family members.

In urban areas, women had fewer employment opportunities than did men, and the jobs available did not provide equal pay for equal work.

Children

The Government supported efforts by domestic and international NGOs that focused on children's social, health, and legal issues, despite its limited ability to provide improved health care and basic education.

By law, primary education is tuition-free; however, despite efforts by the Government to increase the number of schools, there were not enough schools to accommodate the country's youth, particularly in rural areas. The Government used a three-shift system in most primary and secondary schools in urban areas to maximize the utilization of classrooms and to provide an opportunity for working children to attend school. During the year, approximately 43 percent of primary and 70 percent of secondary schools operated in two shifts to maximize the utilization of classrooms. Only 74.6 percent of male primary school-age children and 53.8 percent of female primary school-age children attended school. Girls attended school in fewer numbers than boys, except in Addis Ababa, where girls' attendance was slightly higher at 52.9 percent. Government reports showed that 28.7 percent of the children who attended school left the system before they reached the second grade. Only 25 percent of children who began first grade completed eighth grade. The literacy rate, according to the 2001 Child Labor Survey released during the year by the Central Statistical Authority, was 31.3 percent, and only 20.6 percent of women were literate compared with 42.7 percent of men. Students planning to attend university continued to study for 2 additional years in what was a pre-university program (grades 11-12). Students not admitted to a university were able to enroll in a 2-year program of vocational training. Students in grade 12 take the Ethiopian Higher Education Entrance Certificate Exam (EHEECE). Opportunities to study in institutions of higher learning remained competitive. During the 2002-03 academic year, approximately 25,000 students of the 28,000 who took the EHEECE were assigned to different government universities.

In Addis Ababa's police stations, there were 10 Child Protection Units that were staffed by members of an NGO and protected the rights of juvenile delinquents and juvenile victims of crime. Some police officers completed training on procedures for handling cases of child abuse and juvenile delinquency.

Societal abuse of young girls continued to be a problem. FGM was performed on the majority of girls (see Section 5, Women). Other harmful traditional practices included uvulectomy, milk-teeth extraction, early marriage, marriage by abduction, and food and work prohibitions (see Section 6.f.). In the Afar region of the east, young girls continued to be married to much older men, but this traditional practice continued to come under greater scrutiny

and criticism. Indigenous NGOs, such as the Kembatta Women's Self-Help Center and the Tigray Women's Association, also affected societal attitudes toward harmful traditional practices and early marriage. Pregnancy at an early age often led to obstetric fistulae and permanent incontinence. Treatment was available at only 1 hospital in Addis Ababa that performed more than 1,000 fistula operations a year. It estimated that for every successful operation performed, 10 other young women needed the treatment. The maternal mortality rate was extremely high, partly due to food taboos for pregnant women, poverty, early marriage, and birth complications related to FGM, particularly infibulation.

Child prostitution continued to be a problem and was widely perceived to be growing, and children were trafficked out of the country in adoption schemes (see Section 6.f.).

Child labor remained a serious problem (see Section 6.f.).

Official government estimates put the number of street children in the country at 150,000 to 200,000, with approximately 50,000 to 60,000 street children in Addis Ababa. UNICEF estimated that there were probably close to 600,000 street children in the country and over 100,000 in Addis Ababa. UNICEF believed the problem was growing worse because of the families' inability to support children due to parental illness and decreased household income. These children begged, sometimes as part of a gang, or worked in the informal sector (see Section 6.d.). There were unconfirmed reports during the year that the Government forcibly rounded up street children and dumped them on the outskirts of Addis Ababa. Government and privately run orphanages were unable to handle the number of street children, and older children often abused younger children. Due to severe resource constraints, abandoned infants often were overlooked or neglected at hospitals and orphanages. Children sometimes were maimed or blinded by their "handlers" to raise their earnings from begging.

In August, David Christie--former head of the Swiss orphanage Terre des Hommes who was arrested in August 2001--was convicted of 14 sex offenses for sexually abusing orphans, and sentenced to 9 years in prison.

Persons with Disabilities

The law mandates equal rights for persons with disabilities; however, the Government had no established mechanisms to enforce these rights. Persons with minor disabilities sometimes complained of job discrimination. The Government did not mandate access to buildings or require government services for persons with disabilities. Although the Constitution provides for rehabilitation and assistance to persons with physical and mental disabilities, the Government devoted few resources to these purposes.

There were approximately 6 million persons with disabilities in the country, according to local NGOs. The conflict with Eritrea resulted in numerous soldiers losing limbs, many from landmine explosions. Wheelchairs were not widely available throughout the country. Although there were approximately 800,000 persons with mental disabilities, there was only 1 mental hospital and only approximately 10 psychiatrists in the country. There were approximately 70 NGOs that worked with persons with disabilities. For example, the Amhara Development Association provided vocational training to war veterans with disabilities in Bahir Dar. The Tigray Development Association operated a center in Mekelle that provided prostheses and seed money for business development, training, and counseling for persons with disabilities. The international NGO Landmine Survivors provided a number of services to victims of landmine explosions, including counseling and referrals to rehabilitation services.

National/Racial/Ethnic Minorities

There were more than 80 ethnic groups. The largest single group was the Oromos, who accounted for 40 percent of the population. Although many of these groups influenced the political and cultural life of the country, Amharas and Tigrayans from the northern highlands played a dominant role. The federal system has boundaries drawn roughly along major ethnic lines, and regional states had much greater control over their affairs. Most political parties remained primarily ethnically based.

There were reports that teachers and other government workers had their employment terminated if they were not of the dominant ethnic group in the region.

There were reports of ethnic conflicts between refugees and local residents during the year.

In some instances, security forces were involved in ethnic clashes during the year. For example, in December, there were a number of reports of individual killings of members of other ethnic groups by ethnic Anuaks, and vice-

versa. On December 13, unknown assailants ambushed a vehicle and killed eight government officials, of ethnic groups not indigenous to Gambella Region, near the village of Itang, in Gambella Region. From December 13 to 16, a mob including police, military, and civilians reportedly killed more than 100 members of the Anuak tribe in retaliation for the deaths of the 8 government workers. The Government reported only 40 persons killed. There was a government investigation ongoing at year's end; however, no action had been taken against persons involved.

Ethnic clashes during the year resulted in a number of deaths, injuries, and the displacement of thousands of persons. For example, on April 24, one student from Tigray region was shot and killed and two others injured in a clash between Oromo and Tigrayan students at the Ambo Agricultural College. The killing was believed to be retaliation for the severe beating of an Oromo student in Mekelle in December 2002. At year's end, five persons were in police custody awaiting trial.

In May, June, and July, inter-clan clashes erupted in the Bench-Maji Zone in the south, and 36 persons were killed, according to EHRCO. For example, on June 23, Kidad Gacha, Chairman of Beru Kebele and an ethnic Dizi, shot and killed two Surma tribesmen, a Dizi woman, and a 2-year-old child. The next day, Surma tribesmen raided Beru Kebele, killed 12 persons, and looted property. A total of 1,116 Dizi tribesmen were displaced. Kidad Gacha was taken into police custody.

From September 29 to 30, clashes broke out between Surma and Anuak tribesmen following the killing of an Anuak woman by Surma men. On September 30, armed Anuak tribesmen shot and killed 20 Surma tribesmen engaged in gold mining in Naymei Kebele, in Surma Woreda. It remained unclear at year's end whether the Government took action in response to these incidents.

From November 28 to December 6, approximately 55 persons were reported killed in clashes between the Gura and Dawa tribes in Goro Woreda, Oromiya Region.

In May, the Government reportedly completed its investigation into the March 2002 ethnic violence between the Sheko-Mejjanger and Manja and the Sheka and Bench-Maji in Yeki District, Southern Region, that resulted in the deaths of approximately 600 to 800 persons and displacement of 5,800 persons because of the violence. There was no further information at year's end on the 41 policemen, 39 militia members, and 11 administrative officials reportedly arrested for their involvement in the clashes.

Local officials in Dereshe Woreda, Southern Region, confirmed that certain Dereshe Woreda officials had been implicated in the April 2002 violence between the Deresha and the Zaise tribes over a land dispute that left several persons dead and numerous houses destroyed. Local ruling party officials, including the former district administrator, were found guilty of inciting the violence between the previously peaceful groups.

By year's end, there was no further development in the October 2002 killing of at least 31 Afar women in North Shoa Zone, Amhara Region. In 2002, police detained seven of the eight suspected killers for questioning, one of whom was killed while in prison (see Section 1.a.).

There were no reports that the Government took action against those responsible for the July 2002 clash between the Anuak and Nuer clans in the Gambella region, the September 2002 grenade attack in a student dormitory at the Gambella Teachers College, and the October 2002 grenade explosion in Gambella town.

The military remained an ethnically diverse organization; however, diversity was less common in the higher ranks among officer personnel, which was dominated by the TPLF. There were unconfirmed reports that soldiers targeted Oromos for abuse during the year.

There continued to be anecdotal reports of discrimination against some Eritreans, particularly by kebele level officials. Reports indicated that kebele officials sometimes denied indigent Eritreans access to free medical supplies.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides most workers with the right to form and join unions; however, the law specifically excludes teachers and civil servants, including judges, prosecutors, and security service workers, from organizing unions. There was government interference in unions during the year.

The minimum number of workers required to form a union was 20. All unions had to be registered; however, the Government retained the authority to cancel union registration. The law stipulates that a trade organization may not act in an overtly political manner. Approximately 300,000 workers were unionized during the year.

Unlike in the previous year, there were no reports that trade union leaders were removed from their elected office or forced to leave the country.

The ETA has been a particular target for government harassment (see Section 2.b.). ETA membership continued to decrease significantly during the year due to government intimidation and restrictions on ETA activities; membership was an estimated 95,000 at year's end, down from 110,000 in 2002. Although the Government granted recognition to the independent ETA, all public school teachers were still forced to subsidize the government-created and controlled teacher's union (also called ETA) with mandatory monthly contributions of \$0.23 (2 birr) that were automatically withheld from their monthly salaries. The International Labor Organization (ILO) Committee of Experts cited the Government's interference as an abrogation of the basic right of association.

The ETA claimed in 2002 that 205 teachers had been dismissed, detained, or transferred to remote areas since April 2001. Security forces continued to harass members of the independent ETA during the year. Officials at Maekelawi Criminal Investigation Bureau in Addis Ababa summoned then-Acting Secretary-General of the ETA Abate Angori for questioning on several occasions during the year (see Section 1.d.).

Seasonal and part-time agricultural workers were not organized, even on state-owned plantations. Seasonal workers' compensation, benefits, and working conditions were far below those of unionized permanent plantation employees.

There was no requirement that unions belong to the Confederation of Ethiopian Trade Unions (CETU), which included all nine federations organized by industrial and service sectors rather than by region. Despite its claims to the contrary, CETU leadership was aligned with the ruling party and did not fight vigorously for workers' rights. Findings of widespread corruption in 2002 within CETU's leadership had not resulted in any disciplinary actions by year's end. In January, four members of CETU's nine-member executive committee, who criticized the majority five-member block's decisions were forced from office and replaced by four members hand-picked by the Government.

The law prohibits anti-union discrimination by employers against union members and organizers; however, unions reported that union activists frequently were fired. Unlawful dismissal suits often took years to resolve because of case backlogs in the labor courts. According to labor leaders, a number of court cases in which workers were terminated for union activities were pending after 4 or 5 years. There were grievance procedures for hearings on allegations of discrimination brought by individuals or unions. Employers found guilty of anti-union discrimination were required to reinstate workers fired for union activities.

Independent unions and those belonging to CETU were free to affiliate with and participate in international labor bodies. There were no restrictions on individual trade unions applying for membership in the International Confederation of Free Trade Unions (ICFTU); however, CETU has not been accepted into the ICFTU.

b. The Right to Organize and Bargain Collectively

The Constitution protects the right of collective bargaining for most workers, and in practice the Government allowed citizens to exercise this right freely. Labor experts estimated that more than 90 percent of unionized workers were covered by collective bargaining agreements. Wages were negotiated at the plant level. Some efforts to enforce labor regulations were made within the formal industrial sector.

In November, the Parliament ratified amendments to Labor Proclamation 42, the main body of labor laws in the country, that strengthen worker's positions in the event of termination; allow for multiple unions in the same undertaking; and restrict the definition of "essential services" as concerns the right of workers in those professions to strike. Labor Proclamation 42 explicitly gives workers the right to strike to protect their interests; however, it contains detailed provisions that make legal strike actions difficult to achieve, including that the minimum number of days to be observed before going on strike is 130. The law requires aggrieved workers first to make efforts at conciliation before striking. These applied equally to an employer's right to lock out workers. Strikes must be supported by a majority of the workers affected. If workers brought their dispute to the attention of the Ministry of Labor, the Ministry appoints a conciliator to bring about a settlement. If the conciliator failed to settle a labor dispute within 30 days, the conciliator was obliged to prepare a report for the Ministry. If arbitration or conciliation failed after the conciliator had been chosen by the parties themselves, either party could submit the matter to a Labor

Relations Board (LRB), the appropriate court, or submit to independent arbitration. There are government established LRBs at the national level and in some regions. The Minister of Labor and Social Affairs appointed each LRB chairman, and the four board members included two each from trade unions and employer groups.

If either party chose to submit the matter to an LRB, then the strike action must wait for a period of 30 days within which the LRB would render its decision. Labor Proclamation 42 does not provide a time limit for reaching an agreement in these cases, nor is there a time limit for submitting the matter to the LRB. Any of the contending parties may appeal the decision of the LRB to the Central High Court within 30 days after the decision has been reached. Even where an appeal is submitted, the union is expected to refrain from strike action for another period of 30 days within which the Court may decide on the dispute.

However, workers still retained the right to strike without resorting to either of these options, provided they had given at least 10 days notice to the other party and to the Ministry, made efforts at reconciliation, and provided at least a 30-day warning in cases already before a court or LRB.

The law also prohibits workers who provide essential services from striking, including air transport and railway service workers, electric power suppliers, bus operators, gas station personnel, hospital and pharmacy personnel, bank employees, firemen, postal and telecommunications personnel, and urban sanitary workers.

There has never been a legal strike since Labor Proclamation 42 came into effect in 1993. The ILO has noted that the complex regulations of the proclamation and the insufficient personnel structure of the judicial system have caused labor disputes to drag on for months and years.

The law prohibits retribution against strikers, but labor leaders said that most workers were not convinced that the Government would enforce this protection. Labor officials said that due to high unemployment and long delays in the hearing of labor cases, some workers were afraid to participate in strikes or other labor actions.

There are no export processing zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, there were reports such practices occurred (see Sections 6.d. and 6.f.). Forced labor could be used by court order as a punitive measure.

d. Status of Child Labor Practices and Minimum Age for Employment

Child labor remained a serious problem, both in urban and rural areas. Under the law, the minimum age for wage or salary employment is 14 years; this age is consistent with the age for completing primary school educational requirements. Special provisions cover children between the ages of 14 and 18, including the prohibition of hazardous or night work. Children between the ages of 14 and 18 years were not permitted to work more than 7 hours per day, work between the hours of 10 p.m. and 6 a.m., work on public holidays or rest days, or perform overtime work. The Government defined hazardous work as work in factories or involving machinery with moving parts, or any work that could jeopardize children's health.

While the Government made some effort to enforce these regulations within the formal industrial sector, social welfare activists, civic organizers, government officials, and employers agreed that child labor was pervasive throughout the country, particularly in the informal sector. In urban areas, numerous children worked in a variety of jobs, including shining shoes, sewing clothes, hustling passengers into cabs, working as porters, selling lottery tickets, and herding animals. In rural areas, children worked on commercial farms and as domestic laborers.

In February, the Ministry of Labor and Social Affairs released the findings of a 2001 ILO-funded survey on child labor. The survey found that 40 percent of children start work before the age of 6. It also found the average number of hours worked by children ages 5 to 17 during a 1-week reference period was 32.8 hours. Approximately 13 percent of boys and girls between the ages of 5 and 9 worked from 58 to 74 hours a week. More than two-thirds of all children surveyed were giving either all or part of their earnings to their parents or guardians.

On September 2, the country ratified ILO Convention 182 on the Worst Forms of Child Labor; however, ILO experts called on the Government to take concrete actions to stem the increasing practice of child labor in the country. Reduced household income from poor crop harvests and school dropouts were two contributing factors for the increased incidence of child labor. The Government's definition of worst forms of child labor included prostitution

and bonded labor.

Child laborers often were abused. A 1999 study concluded that physical and emotional abuse were twice as common among child workers compared with nonworkers, sexual abuse was five times as common, and neglect was eight times as common. Among child workers surveyed, rapes occurred exclusively among child domestic laborers.

During the year, there were reports of forced or bonded labor of children who had been trafficked from the Southern and Oromiya Regions to other regions of the country, to work as domestic servants (see Section 6.f.). Young girls reportedly were forced into prostitution by family members (see Sections 5 and 6.f.).

The Ministry of Labor and Social Affairs was designated to enforce child labor laws.

e. Acceptable Conditions of Work

The law mandates a minimum wage of approximately \$14 (120 birr) per month for all wage earners in both the private and public sectors; in addition, each industry and service sector established its own minimum wage. For example, public sector employees, the largest group of wage earners, earned a minimum wage of approximately \$20.30 (175 birr) per month; employees in the banking and insurance sector had a minimum wage of \$23.20 (200 birr) per month. According to the Office of the Study of Wages and Other Remuneration, these wages were insufficient to provide a decent standard of living for a worker and family. Consequently most families needed to have at least two wage earners to survive, which forced many children to leave school early. In addition, only a small percentage of the population was involved in wage labor employment, which was concentrated largely in urban areas.

Labor Proclamation 42 stipulates a 48-hour legal workweek, consisting of 6 days of 8 hours each, with a 24-hour rest period. However, it was not enforced effectively, and in practice, most employees worked a 40-hour workweek consisting of 5 8-hour days.

The Government, industry, and unions negotiated to set occupational health and safety standards; however, the inspection department of the Ministry of Labor and Social Affairs enforced these standards ineffectively, due to a lack of human and financial resources. Enforcement also was inhibited by a lack of detailed, sector-specific health and safety guidelines. Workers had the right to remove themselves from dangerous situations without jeopardizing their employment; however, most workers feared losing their jobs if they were to do so.

The law also protects foreign workers.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, there were numerous reports that persons were trafficked to, from, and within the country. Child prostitution was a problem, particularly in urban areas. The criminal code applied only to women and children trafficked for the purposes of prostitution; such trafficking was punishable by up to 5 years imprisonment and a fine of \$1,160 (10,000 birr). Laws provide for fines and prison sentences of up to 20 years. Despite the arrests of suspected traffickers during the year, there had been no successful prosecutions of traffickers in persons by year's end.

In October, police arrested five men suspected of trying to traffic nine children under the age of 8 from the southern region of Gamo Gofa. The police reportedly returned the nine children to their parents.

There were unconfirmed reports that children from the south were transported into Kenya by child traffickers operating adoption rings, and adopted as other nationalities. Unlike in the previous year, the Government did not close down adoption agencies operating in the country that failed to observe proper rules and regulations. The Government granted licenses to three adoption agencies in the country.

NGOs reported that girls as young as age 11 were recruited to work in houses of prostitution where they were kept uninformed of the risks of HIV/AIDS infection and other sexually transmitted diseases. In July, a Family Health International Report indicated that customers targeted younger girls because they were believed to be free of sexually transmitted diseases.

Among the sex workers, 60 percent were between the ages of 16 and 25. Underage girls worked as hotel workers, barmaids, and prostitutes in resort towns and rural truck stops. The unwanted infants of these young girls usually

were abandoned at hospitals, police stations, welfare clinics, and adoption agencies. Pervasive poverty, migration to urban centers, early marriage, HIV/AIDS and sexually transmitted diseases, and limited educational and job opportunities aggravated the problem of children engaged in commercial sexual exploitation. There were a few NGOs that aided child victims, including the Forum on Street Children-Ethiopia, which provided shelter and protection for children forced into prostitution or commercial sexual exploitation.

An international NGO reported that trafficking was "increasing at an alarming rate." A study commissioned by a foreign government during the year on the problem of internal trafficking of women and children confirmed that the problem is pervasive. The overwhelming majority of respondents confirmed that they were trafficked from rural areas to Addis Ababa and other urban centers, lured by false promises of employment. Of the 459 respondents, 46 percent were illiterate and 49 percent had completed no more than a grade 8 education. Upon arrival at their new destinations, 54 percent worked as domestic servants, but that number dropped to 9 percent as the trafficked women and children took jobs in bars, became sex workers, or begged on the street.

Although illegal, the abduction of women and girls as a form of marriage still was practiced widely in Oromiya regions and the Southern Region (see Section 5).

Private entities arranged for overseas work and, as a result, the number of women sent to Middle Eastern countries, particularly Lebanon, Saudi Arabia, Bahrain, and the United Arab Emirates, as domestic or industrial workers remained a significant problem during the year. These women typically were trafficked through Djibouti, Yemen, and Syria. The Chief of the Investigation and Detention Center in Lebanon reported that 30,000 Ethiopian women worked in Beirut, the vast majority of whom were trafficked. Another private employment agency was licensed during the year, bringing the number of private employment agencies to two; however, private employment agencies had only processed approximately 5,500 persons for overseas employment. During the year, the Government also began registering persons seeking employment overseas. Approximately 50 percent of these women were not able to return legally to their home country.

There was a network of persons in Addis Ababa based in the tourism and trade sectors who were heavily involved in soliciting potential clients, recruiting young girls, arranging travel, and fabricating counterfeit work permits, travel documents, and birth certificates. There were reports from the EWLA that some domestic workers abroad were subjected to abusive conditions, including sexual exploitation. In addition, the employers of domestic laborers sometimes seized passports, failed to pay salaries, and overworked their employees. Some domestics were forced to work for their employers' relatives without additional pay. Domestics were forced to pay a monetary penalty for leaving their employment early.

Training programs for police officers on the criminal aspects of trafficking were ongoing during the year. These institutions have limited resources and jurisdiction to protect or intervene in cases of prosecution of offending employers.

The National Steering Committee Against Sexual Exploitation of Children was chaired by the Children, Youth, and Family Affairs Department of the Ministry of Labor and Social Affairs. There were some government initiatives during the year to combat trafficking, including government consultation with IOM to try to resolve the problem. During the year, the Ministry of Labor and Social Affairs reviewed the contracts of prospective domestic workers and denied exit visas if the contracts did not appear satisfactory. Immigration officials at the airport also inspected the employment contracts of prospective workers traveling to the Middle East. The Ministry of Labor and Social Affairs had limited success in regulating employment agencies that sent migrant workers to Middle Eastern countries. Many illegal employment agencies escaped government scrutiny and continued to operate. There was a consulate in Beirut to assist women who were trafficked to Lebanon.

There was no government assistance, in the form of counseling or other support services, to trafficked victims who returned to the country. EWLA provided limited legal assistance to such victims. The Federal Police's Women's Affairs Bureau, in collaboration with the media, continued to implement a public awareness program on the dangers of migrating to Middle Eastern countries.